

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO
REGULAR MEETING OF BOARD OF SUPERVISORS
WEDNESDAY, JULY 12, 2000

MORNING SESSION – Meeting was called to order at 9:08 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Ron Roberts, Vice Chairman; Greg Cox; Pam Slater; and Bill Horn; also Thomas J. Pastuszka, Clerk.

Approval of Statement of Proceedings/Minutes for meetings of June 14, 2000 and June 21, 2000.

ACTION

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors approved the minutes for the meetings of June 14, 2000 and June 21, 2000.

AYES: Cox, Jacob, Slater, Roberts, Horn

Board of Supervisors' Agenda Items

1. NOTICED PUBLIC HEARING:
HARTOG ZONE RECLASSIFICATION (R98-009), RAINBOW COMMUNITY PLANNING AREA
2. NOTICED PUBLIC HEARING:
NOVEMBER 2000 BALLOT MEASURES FOR COUNTY SERVICE AREAS NO. 109 – MOUNT LAGUNA, NO. 111 - BOULEVARD AND NO. 112 CAMPO
3. NOTICED PUBLIC HEARING:
RAMONA LANDFILL BUFFER – ACQUISITION OF PARCEL NO. 99-0142-A (RAYNES)
[FUNDING SOURCE IS THE SOLID WASTE DIVESTITURE HOLDING FUND]
4. FISCAL REFORM IN CALIFORNIA
5. TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS TO THE COUNTY BOARD OF SUPERVISORS
6. BEECHTREE DRAINAGE IMPROVEMENTS IN LAKESIDE: APPROVAL OF MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, AMENDMENT TO AGREEMENT WITH WINZLER AND KELLY FOR DESIGN, AND AUTHORIZATION TO ADVERTISE AND AWARD A CONTRACT FOR CULVERT CONSTRUCTION
[FUNDING SOURCES ARE FLOOD CONTROL AND GAS TAX FUNDS]

7. AUTHORIZATION TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT WITH SAVE OUR HERITAGE ORGANIZATION FOR OPERATIONS AND MAINTENANCE OF THE THOMAS WHALEY HOUSE AND GROUNDS
8. CHIP SEALING ON VARIOUS COUNTY ROADS IN BORREGO SPRINGS, ROAD MAINTENANCE DIVISION 2
[FUNDING SOURCE IS GAS TAX FUNDS]
9. ADVERTISE AND AWARD CONSTRUCTION CONTRACT FOR ALVARADO ROAD DRAINAGE IMPROVEMENTS IN FALLBROOK
[FUNDING SOURCE IS GAS TAX FUNDS]
10. ASSESSMENT BALLOT HEARING FOR SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 54 – MOUNT HELIX
[FUNDING SOURCES FOR THE PAVING PROGRAM ARE PERMANENT ROAD DIVISION ZONE’S CAPITAL RESERVE AND PERMANENT ROAD DIVISION INTERNAL SERVICE FUND]
11. AMENDMENT TO COOPERATIVE AGREEMENT WITH SKYLINE WESLEYAN CHURCH FOR IMPROVEMENTS TO CAMPO ROAD
[FUNDING SOURCE IS DEVELOPER FUNDS (ZZ9813)]
(4 VOTES)
12. PROPERTY TAX EXCHANGES FOR JURISDICTIONAL CHANGES: EMERALD ESTATES DETACHMENT FROM VISTA IRRIGATION DISTRICT (LAFCo Ref. No. DD00-09)
13. FALLBROOK COMMUNITY AIRPARK – AVIATION ENTERPRISES, LLC – NEW AVIATION LEASE
[FUNDING SOURCE IS THE AIRPORT ENTERPRISE FUND]
(4 VOTES)
14. ADMINISTRATIVE ITEM:
DEFENSE AND INDEMNIFICATION OF PROPERTY OWNERS FOR DEDICATED TRAIL EASEMENTS - AN ORDINANCE ADDING DIVISION 12, CHAPTER 1 TO TITLE 8 OF THE SAN DIEGO COUNTY CODE
15. ADMINISTRATIVE ITEM:
CONTINUED NOTICED PUBLIC HEARING:
MAILED BALLOT PROCEEDING RESULTS AND FORMATION HEARING FOR PROPOSED SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1009 – GOLF DRIVE

16. ADMINISTRATIVE ITEM:
APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PRIVATE
IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO 5080-1
LOCATED IN THE RAMONA COMMUNITY PLAN AREA
17. ADMINISTRATIVE ITEM:
APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PUBLIC
AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO
5111-1, LOCATED IN THE NORTH COUNTY METROPOLITAN
SUBREGIONAL PLANNING AREA
18. PRESENTATIONS/PROCLAMATIONS
19. PUBLIC COMMUNICATIONS

1. **SUBJECT: NOTICED PUBLIC HEARING:
HARTOG ZONE RECLASSIFICATION (R98-009), RAINBOW
COMMUNITY PLANNING AREA**
(Supv. Dist: 5)

OVERVIEW:

The proposed project is a Zone Reclassification from the A70 (Limited Agriculture, 1 dwelling unit per 8 acres) Use Regulations to A70 (Limited Agriculture, 1 dwelling unit per 4 acres) Use Regulations with associated development designations. The 22 acre site has a Land Use Designation of (19) Intensive Agriculture (1 dwelling unit per 2, 4 or 8 acres) and is in the Rainbow Community Planning Area. The site is located on the west side of Rainbow Crest Road, south of Gomez Creek Road.

FISCAL IMPACT:

Not applicable.

BUSINESS IMPACT STATEMENT

Not applicable.

RECOMMENDATION:

PLANNING COMMISSION:

That the Board of Supervisors take the following action:

1. Find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. Consider the Negative Declaration, together with comments received during public review, finding that it reflects the independent judgment and analysis of the Board of Supervisors.
2. Adopt the Ordinance R98-009, approving a change from the A70 (Limited Agriculture, 1 dwelling unit per 8 acres) Use Regulations to A70 (Limited Agriculture, 1 dwelling unit per 4 acres) Use Regulations with other designators as shown in the Ordinance.

DEPARTMENT OF PLANNING AND LAND USE:

The Department concurs with the Planning Commission.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 9229 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY R98-009.

AYES: Cox, Jacob, Slater, Roberts, Horn

2. **SUBJECT: NOVEMBER 2000 BALLOT MEASURES FOR COUNTY SERVICE AREAS NO. 109 – MOUNT LAGUNA, NO. 111 - BOULEVARD AND NO. 112 CAMPO**
(Supv. Dist: 2)

OVERVIEW:

The Boards of Directors for three County Service Area Fire Departments have adopted resolutions requesting the Board place funding measures authorizing levy of a Special Benefit Tax on the November 7, 2000 ballot. The measures are requested to provide additional funding for adequate structural fire protection and emergency medical services. The Boards of Directors have determined current funding is insufficient to meet these needs, and after investigating other means to raise funds request this levy be placed on the ballot.

Because the levy to be collected is a special tax, registered voters in these County Service Areas must approve the measures by a two-thirds vote. In the event the measures pass, special benefit taxes shall be applied effective Fiscal Year 2001-2002.

This is a request for County Service Areas No. 109 – Mount Laguna, No. 111 – Boulevard and No. 112 – Campo to place Special Benefit Tax measures for Fire Suppression and Emergency Medical Services on the November 7, 2000 ballot.

FISCAL IMPACT:

If approved, this request will have no impact on the County General Fund in current or subsequent years, and will require no additional staff years. County Service Areas No. 109 Mount Laguna, No. 111 – Boulevard and No. 112 – Campo will each pay the cost of their respective ballot measure. Any levies resulting from this action will be approved by the Board as part of the annual benefit charge process.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find that this action is exempt from provisions of Section 15061 (b)(3) of California Environmental Quality Act (CEQA) Guidelines because it can be seen with certainty there is no possibility the activity may have a significant effect on the environment.
2. Adopt Resolutions entitled:

Resolution of the Board of Supervisors to Conduct Elections in County Service Area 109 – Mount Laguna on the Question of Authorizing Levy of Special Benefit Taxes by the Board of Supervisors on Tuesday, November 7, 2000, and to Consolidate that Election with the General Election held on the Same Day.

Resolution of the Board of Supervisors to Conduct Elections in County Service Area No. 111–Boulevard on the Question of Authorizing Levy of Special Benefit Taxes by the Board of Supervisors on Tuesday, November 7, 2000, and to Consolidate that Election with the General Election held on the Same Day.

Resolution of the Board of Supervisors to Conduct Elections in County Service Area No. 112 – Campo on the Question of Authorizing Levy of Special Benefit Taxes by the Board of Supervisors on Tuesday, November 7, 2000, and to Consolidate that Election with the General Election held on the Same Day.

3. Direct County Counsel to prepare impartial analyses of the ballot measures, to be included in sample ballots.
4. Adopt the following ordinances to be effective immediately subject to confirmation by two-thirds of those voting in elections pursuant to Government Code Section 25123.

AN ORDINANCE DETERMINING, AND PROPOSING FOR ADOPTION, ANNUAL SPECIAL BENEFIT TAXES FOR STRUCTURAL FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES WITHIN THE BOUNDARIES OF COUNTY SERVICE AREA NO.109 – MOUNT LAGUNA.

AN ORDINANCE DETERMINING, AND PROPOSING FOR ADOPTION, ANNUAL SPECIAL BENEFIT TAXES FOR STRUCTURAL FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES WITHIN THE BOUNDARIES OF COUNTY SERVICE AREA NO.111 – BOULEVARD.

AN ORDINANCE DETERMINING, AND PROPOSING FOR ADOPTION, ANNUAL SPECIAL BENEFIT TAXES FOR STRUCTURAL FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES WITHIN THE BOUNDARIES OF COUNTY SERVICE AREA NO.112 – CAMPO.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting the following Resolutions entitled:

00-235 RESOLUTION OF THE BOARD OF SUPERVISORS TO CONDUCT THE ELECTION IN COUNTY SERVICE AREA 109-MOUNT LAGUNA VOL. FIRE DEPARTMENT ON THE QUESTION OF AUTHORIZING THE LEVY OF A SPECIAL BENEFIT TAX BY THE BOARD OF SUPERVISORS ON TUESDAY, NOVEMBER 7, 2000, AND TO CONSOLIDATE THAT ELECTION WITH THE GENERAL ELECTION TO BE HELD ON THE SAME DAY

00-236 RESOLUTION OF THE BOARD OF SUPERVISORS TO CONDUCT THE ELECTION IN COUNTY SERVICE AREA 111-BOULEVARD ON THE QUESTION OF AUTHORIZING THE LEVY OF A SPECIAL BENEFIT TAX BY THE BOARD OF SUPERVISORS ON TUESDAY, NOVEMBER 7, 2000, AND TO CONSOLIDATE THAT ELECTION WITH THE GENERAL ELECTION TO BE HELD ON THE SAME DAY

00-237 RESOLUTION OF THE BOARD OF SUPERVISORS TO CONDUCT THE ELECTION IN COUNTY SERVICE AREA 112-CAMPO ON THE QUESTION OF AUTHORIZING THE LEVY OF A SPECIAL BENEFIT TAX BY THE BOARD OF SUPERVISORS ON TUESDAY, NOVEMBER 7, 2000, AND TO CONSOLIDATE THAT ELECTION WITH THE GENERAL ELECTION TO BE HELD ON THE SAME DAY

and adopting the following Ordinances entitled:

- 9230 AN ORDINANCE DETERMINING AND PROPOSING FOR ADOPTION AN ANNUAL SPECIAL BENEFIT TAX FOR STRUCTURAL FIRE PROTECTION SERVICE WITHIN THE BOUNDARIES OF COUNTY SERVICE AREA NO. 109
- 9231 AN ORDINANCE DETERMINING AND PROPOSING FOR ADOPTION AN ANNUAL SPECIAL BENEFIT TAX FOR STRUCTURAL FIRE PROTECTION SERVICE WITHIN THE BOUNDARIES OF COUNTY SERVICE AREA NO. 111
- 9232 AN ORDINANCE DETERMINING AND PROPOSING FOR ADOPTION AN ANNUAL SPECIAL BENEFIT TAX FOR STRUCTURAL FIRE PROTECTION SERVICE WITHIN THE BOUNDARIES OF COUNTY SERVICE AREA NO. 112

AYES: Cox, Jacob, Slater, Roberts, Horn

3. **SUBJECT: NOTICED PUBLIC HEARING:
RAMONA LANDFILL BUFFER – ACQUISITION OF PARCEL NO. 99-0142-A (RAYNES)**
(Supv. Dist: 2)

OVERVIEW:

On August 12, 1997 (1), the Board of Supervisors approved the sale of the County's solid waste system to Allied Waste Industries. As a condition of the sale, the County retained liability for certain off-site environmental conditions near the Ramona Landfill.

On October 20, 1998, the Board revised a policy for acquiring buffer properties adjacent to the Ramona Landfill. The revised policy provides that the County will acquire (through voluntary purchase or condemnation) all properties within 300 feet of the Ramona Landfill. These properties are needed to conduct appropriate and necessary landfill monitoring and remediation activities.

Michael and Christine Raynes, who own property within 300 feet of the Ramona Landfill, have accepted the County's offer to purchase. The Board is requested to approve the contract for the purchase of Parcel No. 99-0142-A from the Raynes for \$313,500.

FISCAL IMPACT:

Funds for this proposal are budgeted in the Capital Outlay Fund. The funding source is the Solid Waste Divestiture Holding Fund. If approved, this proposal will result in a cost of \$313,500 in Fiscal Year 2000/2001, no additional cost in subsequent years, and the addition of no staff years.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Find, in accordance with Section 15301 of the California Environmental Quality Act Guidelines, that this project is categorically exempt from the provisions of the Act as it involves the continuation of an ongoing use.
2. Approve the real property contract for the purchase of Parcel No. 99-0142-A (Raynes) for \$313,500 and authorize the Clerk of the Board to execute two copies of the contract.
3. Authorize the Director, Department of General Services, or assignee, to execute all escrow and other related documents required to complete the purchase.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

4. **SUBJECT: FISCAL REFORM IN CALIFORNIA**
(Supv. Dist: All)

OVERVIEW:

On March 24, 2000, the San Diego Association of Governments (SANDAG) held a workshop on statewide fiscal reform to discuss proposals authored by various statewide groups and elected officials, and to revisit a SANDAG proposal first published in 1995.

On June 6, 2000, the SANDAG Executive Committee received a report on the status of State-Local Fiscal Reform in California. The Executive Committee agreed to have staff make a presentation on fiscal reform to the San Diego City Council and the Board of Supervisors. Accordingly, SANDAG staff have been invited to make a brief presentation to the Board of Supervisors on this issue.

FISCAL IMPACT:

There is no fiscal impact associated with receiving this report.

RECOMMENDATION:**SUPERVISOR SLATER:**

Receive SANDAG's presentation, Achieving Fiscal Reform in California, San Diego Regional Growth Management Strategy.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Horn, the Board of Supervisors received SANDAG's presentation and directed the Chief Administrative Officer to analyze the SANDAG proposal, compare it with our existing Board Policies and positions, and come back to the Board in 60 days with their analysis, along with any recommendations that they may have.

AYES: Cox, Jacob, Slater, Roberts, Horn

5. **SUBJECT: TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS TO THE COUNTY BOARD OF SUPERVISORS**
(Supv. Dist: All)

OVERVIEW:

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed changes or additions to traffic controls. Thirty-seven items were on the Committee's June 2, 2000 meeting agenda. The Committee recommends your action on 32 items, as five items (A, B, G1, G2, and P) were continued prior to the TAC meeting. Of the 32 items, 19 are recommended for adoption. The Committee recommends non-adoption or alternative action for 10 items (D, E, F, I, J, L, N, R, S, and X), and continuance of three items (H, K, and V).

FISCAL IMPACT:

Funds for this proposal are budgeted in the Department of Public Works Road Fund.

RECOMMENDATION:

TRAFFIC ADVISORY COMMITTEE

Consider and file report including the following recommendations:

- A. Elfin Forest Road between Harmony Grove Road and San Marcos City Limit, ELFIN FOREST- The issue of establishing a seven ton weight limit was continued prior to the meeting at request of the San Dieguito Community Planning Group.
- B. Elfin Forest Road between Harmony Grove Road and San Marcos City Limit, ELFIN FOREST- The issue of reducing the existing 50 MPH speed limit was continued prior to the meeting at request of the San Dieguito Community Planning Group.
- C. Peutz Valley Road, both sides, from a point 530 feet north of Alpine Boulevard northerly to the end of the County-maintained road, ALPINE- Establish a parking prohibition.
- D. Reche Road and Gird Road, FALLBROOK- Do not establish additional regulatory controls.
- E. Gum Tree Lane between Hamilton Lane and Live Oak Park Road, FALLBROOK- Do not establish a formal speed limit.
- F. Mission Road from a point 450 feet east of Stage Coach Lane easterly to Old Highway 395, FALLBROOK- Do not reduce the existing 45 MPH speed limit.

- G1. Via Cuatro Caminos and Siete Leguas, RANCHO SANTA FE- Issue of establishing an all-way stop control was continued prior to the meeting at the request of the requester.
- G2. Via Cuatro Caminos and Noche Tapatia, RANCHO SANTA FE- Issue of establishing an all-way stop control was continued prior to the meeting at the request of the requester.
- H. El Apajo and San Dieguito Road, FAIRBANKS RANCH- Continue issue of adding this intersection to the County's Traffic Signal Priority List to the October 6, 2000 meeting of the Traffic Advisory Committee.
- I. Tim Street and La Cresta Way, BONITA- Do not establish any regulatory controls.
- J. Linea Del Cielo, 20 feet west of La Floresta, RANCHO SANTA FE- Do not establish an equestrian crossing.
- K. Maine Avenue, west side, from a point 60 feet south of Lakeshore Drive southerly 20 feet, LAKESIDE- Continue this item to a future Traffic Advisory Committee meeting.
- L. Steffy Road and Keyes Road, RAMONA- Do not establish an all-way stop control.
- M. Noeline Avenue and Worthington Street, SPRING VALLEY- Establish an all-way stop control.
- N. 7th Street and I Street, RAMONA- Do not establish an all-way stop control.
- O1. Elder Street, north side, from a point 20 feet west of the west line of Main Avenue westerly 140 feet, FALLBROOK- Establish a 10-minute parking zone between 7:30 a.m. and 4:00 p.m. on school days.
- O2. Pico Avenue, east side, from the north line of Elder Street northerly 120 feet, FALLBROOK- Establish a 10-minute parking zone between 7:30 a.m. and 4:00 p.m. on school days.
- P. La Bajada and La Noria, RANCHO SANTA FE- Issue of establishing an all-way stop control was continued prior to the meeting at the request of the Rancho Santa Fe Association.
- Q. Itzamna Road and Nabal Drive, LA MESA- Establish stop controls for eastbound and westbound traffic on Itzamna Road.
- R. Anaheim Drive and Nabal Drive, LA MESA- Do not establish any regulatory controls.
- S. Farmer Road and Wynola Road, JULIAN- Do not establish any regulatory controls.
- T. Rancho Diegueno Road, from San Dieguito Road to Rancho Santa Fe Farms Road, FAIRBANKS RANCH- Establish a 7-ton weight limitation.
- U. Cole Grade Road and Cool Valley Road, VALLEY CENTER- No formal recommendation. Support Supervisor Horn's proposal for installation of an interim traffic signal.

- V. La Granada and Via de Santa Fe, RANCHO SANTA FE- Continue issue of establishing an all-way stop control to July 14, 2000 meeting of the Traffic Advisory Committee.
- W. Delrose Avenue and Elkelton Boulevard, SPRING VALLEY- Establish an all-way stop control.
- X. Delrose Avenue and Broadview Street, SPRING VALLEY- Do not establish a stop control for eastbound traffic on Delrose Avenue.
- Y1. Eldorado Drive, north side, from the Escondido City Limit westerly 460 feet and on the south side from the Escondido City Limit westerly 500 feet, ESCONDIDO- Amend an existing parking prohibition.
- Y2. Chase Avenue, both sides, from the east line of Jamacha Road (SR 54) easterly to the west line of Hillsdale Road, EL CAJON- Establish a parking prohibition.
- Y3. Campo Road at Agua Dulce Boulevard, CASA DE ORO- Delete an all-way stop control.
- Y4. SH-94 Eastbound Off-ramp at Sweetwater Springs Boulevard, CASA DE ORO- Delete an all-way stop control.
- Y5. Sweetwater Springs Boulevard, CASA DE ORO- Amend a Through Highway.
- Y6. Bradley Avenue, south side, from Magnolia Avenue westerly 100 feet, EL CAJON- Establish a parking prohibition.
- Y7. Linda Vista Drive at Specialty Drive, SAN MARCOS- Establish a stop control for northbound traffic on Linda Vista Drive.
- Y8. Eden Valley Lane at Country Club Drive, HARMONY GROVE- Establish a stop control for eastbound traffic on Eden Valley Lane.
- Y9. Del Cielo Este, south side, from a point 950 feet west of Camino Del Rey westerly 50 feet, BONSALL- Establish a parking prohibition.
- Y10. Buenos Tiempos, both sides, from the north end of La Buena Vida southerly to the south end of La Buena Vida, FALLBROOK- Delete an existing parking prohibition between 8 AM and 4 PM on school days.
- Y11. Elkelton Boulevard at Jamacha Road, SPRING VALLEY- Change an existing yield control to a stop control for the north-to-eastbound turning movement.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find pursuant to Section 15301 (c) of California Environmental Quality Act (CEQA) guidelines that the following actions are exempt from environmental review since they are part of operation of existing streets.

2. Concur with the Traffic Advisory Committee's recommendations.
3. Adopt, amend and/or delete the following Resolutions and Ordinances.

No. 299 (Items M, W, Y3 and Y4)
No. 301 (Items C, Y1, Y2, Y6, Y9 and Y10)
No. 304 (Items Q, Y7, Y8 and Y11)
No. 305 (Items W and Y5)
No. 306 (Item Y11)
4. Read title, waive further reading and introduce Ordinances for further consideration on July 26, 2000.

AN ORDINANCE ADDING SECTION 72.243.2.6. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item T)

AN ORDINANCE ADDING SECTION 72.143.14. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item O1)

AN ORDINANCE ADDING SECTION 72.143.15. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item O2)

ACTION:

On Item S, directing the Chief Administrative Officer to install a stop sign at the intersection of Farmer Road and Wynola Road, ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting the following Resolutions entitled:

00-238 TRAFFIC RESOLUTION NO. 2530-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

00-239 TRAFFIC RESOLUTION NO. 2531- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

00-240 TRAFFIC RESOLUTION NO. 2532- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

- 00-241 TRAFFIC RESOLUTION NO. 2533- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO
- 00-242 TRAFFIC RESOLUTION NO. 2534-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO
- 00-243 TRAFFIC RESOLUTION NO. 2535- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO
- 00-244 TRAFFIC RESOLUTION NO. 2548- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO
- 00-245 TRAFFIC RESOLUTION NO. 2536- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO
- 00-246 TRAFFIC RESOLUTION NO. 2537- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO
- 00-247 TRAFFIC RESOLUTION NO. 2538- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO
- 00-248 TRAFFIC RESOLUTION NO. 2539- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO
- 00-249 TRAFFIC RESOLUTION NO. 2541-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO
- 00-250 TRAFFIC RESOLUTION NO. 2542- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO
- 00-251 TRAFFIC RESOLUTION NO. 2543- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

00-252 TRAFFIC RESOLUTION NO. 2544- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

00-253 TRAFFIC RESOLUTION NO. 2546-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN THE COUNTY OF SAN DIEGO

00-254 TRAFFIC RESOLUTION NO. 2545- RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN THE COUNTY OF SAN DIEGO

00-255 TRAFFIC RESOLUTION NO. 2550-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 306 RELATING TO THE ESTABLISHMENT OF YIELD RIGHT-OF-WAY INTERSECTIONS IN THE COUNTY OF SAN DIEGO

00-256 TRAFFIC RESOLUTION NO. 2549-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

and introduced Ordinances for further Board consideration on July 26, 2000.

AYES: Cox, Jacob, Slater, Roberts, Horn

6. **SUBJECT: BEECHTREE DRAINAGE IMPROVEMENTS IN LAKESIDE: APPROVAL OF MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, AMENDMENT TO AGREEMENT WITH WINZLER AND KELLY FOR DESIGN, AND AUTHORIZATION TO ADVERTISE AND AWARD A CONTRACT FOR CULVERT CONSTRUCTION**
(Supv. Dist: 2)

OVERVIEW:

In 1998, El Niño storms caused a channel to overflow, flooding homes near Tamil Road and Beechtree Street in Lakeside. Drainage system improvements are needed that, when completed, will greatly diminish likelihood of future flooding.

The proposed project will replace the culvert under Beechtree Street with a larger box culvert and reshape an existing natural channel alongside Beechtree Street to maximize its capacity. Construction to reshape the natural earthen channel is a revision to the originally proposed concrete-lined channel evaluated in the Mitigated Negative Declaration. This change in the project, as well as revegetation of the channel after construction and measures to enhance water quality at Lindo Lake, were added in response to comments received during public reviews of the original and revised negative declarations.

This is a request to approve the Mitigated Negative Declaration and Mitigation Monitoring Program, which has been revised to reflect the new project scope and tasks.

On January 12, 1999 (8), the Board approved a \$250,000 agreement with Winzler and Kelly Consulting Engineers of San Diego for as-needed design services. The consultant performed preliminary design on this project, and is the logical choice for preparation of final design, specifications and cost estimates for the natural earthen channel project. However, together with other County project commitments being performed by the consultant, it is likely this additional work will exceed the \$250,000 contract amount. The Board is requested to approve an amendment to the agreement with Winzler and Kelly Consulting Engineers, for an additional amount of \$25,000, to provide design services for construction plans, specifications, and cost estimate for channel reshaping. Upon design completion, scheduled for August 2000, the Board will be asked to authorize construction for reshaping the existing natural channel.

Culvert construction plans and specifications are complete, and the Board is requested to authorize advertisement and subsequent award of a contract for constructing a reinforced concrete box culvert under Beechtree Street. Construction will be awarded to the lowest responsible bidder and is scheduled for September through December, 2000.

FISCAL IMPACT:

Funds for this proposal are budgeted in the Fiscal Year 2000-01 Flood Control District budget, and are included in the Department of Public Works Detailed Work Program. Funding sources are Flood Control and Gas Tax Funds. If approved, this request will result in \$397,000 current year cost. This includes a \$25,000 amendment to the design consultant contract, and \$372,000 in construction. The request will have no annual cost and will require no additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find the new project revisions proposed do not require recirculation of the Mitigated Negative Declaration pursuant to Public Resources Code Section 15073.5 (c) (2) because project revisions were added in response to written or verbal comments on the project's effects identified in the proposed Negative Declaration, which are not new avoidable significant effects; and find pursuant to Public Resources Code Section 15074 (b) 1 that the new mitigation measures are equivalent or more effective in mitigating or avoiding potential significant effects, and that they, in themselves, will not cause any potential significant effect on the environment.
2. Find, on the basis of the whole record, there is no substantial evidence the project will have a significant effect on the environment. Consider the Mitigated Negative Declaration, together with comments received during public review, and adopt it, finding it reflects the independent judgement and analysis of the Board of Supervisors.
3. Adopt the Mitigation Monitoring Program prepared in accordance with Public Resources Code Section 21081.6.

4. Waive the advertising requirement and the \$250,000 limit for consultant contracts awarded to firms selected from the Joint City/County of San Diego as-needed lists of pre-qualified firms as required by Board of Supervisors Policy F-40, Procuring Architectural, Engineering and Related Professional Services.
5. Approve and authorize the Clerk of the Board to execute, upon receipt, the Second Amendment to Agreement with Winzler and Kelly Consulting Engineers, for an additional \$25,000, for a total contract amount of \$275,000, to provide engineering design services on an as-needed basis for final design of Beechtree Channel improvements.
6. Authorize the Deputy Director, Purchasing and Contracting Division of General Services, to take any action authorized by Section 398.17.3(a) of the Administrative Code with respect to contracting for subject public works project.
7. Designate the Director, Department of Public Works, as County Officer responsible for administering the contracts.

ACTION:

Directing the Chief Administrative Officer to ensure that the maintenance permit agreements with the State and federal wildlife and environmental agencies allow the County to clear this drainage channel whenever the clearing is needed, ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

7. **SUBJECT: AUTHORIZATION TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT WITH SAVE OUR HERITAGE ORGANIZATION FOR OPERATIONS AND MAINTENANCE OF THE THOMAS WHALEY HOUSE AND GROUNDS**
(Supv. Dist: 4)

OVERVIEW:

On February 15, 2000(45) the Board of Supervisors authorized the Director, Department of General Services, to issue a Request For Proposal (RFP) for the operations and maintenance of the Thomas Whaley House and grounds. Of the two organizations that responded to the RFP, a five-person Selection Committee, consisting of qualified community members, recommended Save our Heritage Organization (SOHO) as the most qualified organization to provide the requested services.

This request is to authorize the Director of the Department of General Services to enter into a new lease agreement with SOHO, for the operations and maintenance of the Whaley House and grounds, based upon the recommendation of the Selection Committee.

FISCAL IMPACT:

The County currently contributes approximately \$2,000 annually to fund utility costs for the Whaley House and provides major maintenance on the buildings. Continuation of these activities is dependent upon negotiation of the new lease. There have been no major maintenance costs for the Whaley House in recent years, however, it is expected that the house will be in need of painting and roof repairs in the next few years; depending on negotiations, these costs may be funded by the County.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the State CEQA Guidelines.
2. Approve the Selection Committee's recommendation of Save Our Heritage Organization (SOHO) to operate and maintain the Thomas Whaley House museum and grounds.
3. Authorize the Director of the Department of General Services to terminate the current agreement with the Historic Shrine Foundation.
4. Authorize the Director of the Department of General Services to negotiate, execute and administer a new lease agreement with SOHO for the Operations and Maintenance of the Thomas Whaley House museum and grounds.

ACTION:

Adding Recommendation No. 5 to read as follows: "Authorize the Director of Parks and Recreation to negotiate and reach agreement with the Historic Shrine Foundation regarding ownership of the contents of the Thomas Whaley House that have no County property tag", ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

8. **SUBJECT: CHIP SEALING ON VARIOUS COUNTY ROADS IN BORREGO SPRINGS, ROAD MAINTENANCE DIVISION 2**
(Supv. Dist: 5)

OVERVIEW:

This is a request to approve advertisement and award of a contract to chip seal 15 segments totaling 12.53 miles of County maintained roads in the Borrego Springs area. The surface treatment used will consist of placing pavement-reinforcing fabric followed by a chip seal to protect the pavement surface from harsh desert conditions. This project will benefit the community by maintaining the roadways' structural integrity and preventing future costly road repairs.

FISCAL IMPACT:

Funds for this project are budgeted in the Department of Public Works Road Fund. Funding source is Gas Tax funds. This request will result in a \$835,000 current year cost, no annual cost and no additional staff years.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that this project is categorically exempt from provisions of the Guidelines since it consists of the maintenance of existing facilities with no increase in capacity.
2. Authorize the Deputy Director, Purchasing and Contracting Division of General Services, to take any action authorized by Section 398.17.3(a) of the Administrative Code with respect to contracting for the subject public works project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the contract.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

9. **SUBJECT: ADVERTISE AND AWARD CONSTRUCTION CONTRACT FOR ALVARADO ROAD DRAINAGE IMPROVEMENTS IN FALLBROOK**
(Supv. Dist: 5)

OVERVIEW:

There is a critical need for drainage improvements along Alvarado Road in Fallbrook. This project will construct curb, gutter, sidewalk, and a catch basin to reduce potential flooding of property and buildings on the south side of Alvarado Road from Vine Street one-half block west. The project is part of the Public Works Detailed Work Program, and will benefit the community by improving drainage and safety on Alvarado Road.

This is a request to authorize advertisement and subsequent award of a contract for construction of drainage improvements on Alvarado Road.

FISCAL IMPACT:

Funds for this proposal are budgeted in the Department of Public Works Detailed Work Program. Funding source is Gas Tax Funds. If approved, this request will result in current year cost of \$150,000, no annual cost and will require no additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find in accordance with Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines that this project is categorically exempt from provisions of the Guidelines as a minor alteration to an existing road, sidewalk, and gutter involving no expansion of existing use, and will not have a significant effect on the environment.
2. Authorize the Deputy Director, Purchasing and Contracting Division of General Services, to take any action authorized by Section 398.17.3(a) of the Administrative Code with respect to contracting for the subject public works project.
3. Designate the Director, Department of Public Works, as the County Officer responsible for administering the contract.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

10. **SUBJECT: ASSESSMENT BALLOT HEARING FOR SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 54 – MOUNT HELIX**
(Supv. Dist: 2)

OVERVIEW:

On May 5, 2000, notice and ballot for a proposed increase in benefit fee assessment were mailed to 50 property owners in Permanent Road Division Zone No. 54 – Mount Helix in the La Mesa area. Purpose of the proposed assessment increase is to accumulate sufficient monies to finance paving of three roads in Permanent Road Division Zone No. 54 during Fiscal Year 2000-01. Paving is needed to protect structural integrity and lengthen the life of its roads. The hearing today provides the public an opportunity to speak to the issue of an assessment increase and the Board to accept and confirm results of this mailed ballot proceeding.

FISCAL IMPACT:

Costs are included in the Fiscal Year 2000-01 Department of Public Works paving contract. Funding sources for the paving program are Permanent Road Division Zone's Capital Reserve (\$9,600) and Permanent Road Division Internal Service Fund (\$53,380). If approved by the Board and property owners, this request will result in \$62,980 Fiscal Year 2000-01 costs, no annual cost and will require no additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find, in accordance with Section 15061(b)(3) of California Environmental Quality Act (CEQA) Guidelines, it can be seen with a certainty there is no possibility the following actions may have a significant effect on the environment.

2. Accept and confirm results of the mailed ballot proceeding to San Diego Countywide Permanent Road Division No. 1000, Zone No. 54 – Mount Helix property owners.
3. Adopt a Resolution entitled Transfer of Money to San Diego Countywide Permanent Road Division No. 1000, Zone No. 54 -Mount Helix and Schedule for Repayment to County of San Diego.

ACTION:

Accepting and confirming the mailed ballot results to San Diego Countywide Permanent Road Division No. 1000, Zone No. 54-Mount Helix property owners as being approved with a 76 percent weighted majority, ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-257, entitled: RE: TRANSFER OF MONEY TO SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 54-MOUNT HELIX AND SCHEDULE FOR REPAYMENT TO COUNTY.

AYES: Cox, Jacob, Slater, Roberts, Horn

11. **SUBJECT: AMENDMENT TO COOPERATIVE AGREEMENT WITH SKYLINE WESLEYAN CHURCH FOR IMPROVEMENTS TO CAMPO ROAD**
(Supv. Dist: 2)

OVERVIEW:

On December 8, 1998 (58), the Board approved a Road Improvement Participation Agreement between County of San Diego and Skyline Wesleyan Church. In this agreement, the County agreed to pay a portion of costs for improvements on the east side of Campo Road (State Route 94) between Jamacha Boulevard and Via Mercado. Skyline Wesleyan Church is responsible for completing their portion of the project as a condition of development. The County share of this project is for road improvements that would have been included as part of County's SR 54/94 Phase 2 project. This project will improve safety and traffic circulation along this portion of SR 94.

The Road Improvement Participation Agreement was approved by the Board December 8, 1998 (58) based on construction pricing at that time. It was amended March 17, 1999 (7) to reflect higher bids due to San Diego area construction cost increases. Today's proposed second amendment is necessary to reflect higher costs in 2000 compared to 1999, plus additional work requirements imposed by Caltrans as a condition of Skyline's encroachment permit. At the time of the original agreement, it was understood that Caltrans requirements were met; however, subsequent requirements were made.

After extensive discussions with Skyline and County staff over a 13-month period, Caltrans ultimately required various changes in project design and work sequencing. Due to the 13-month permitting process, Skyline's contractor was unable to proceed as scheduled, and subcontractor prices had to be renegotiated to reflect market prices for labor, material and equipment. This, along with work requirements, increased overall project costs by \$547,300.

In accordance with the Road Participation Agreement, the County is to pay its portion of the increased cost. This is a request to approve an amendment to the Road Participation Agreement to reflect an increase of \$200,800 in County cost. The amendment will increase County cost for this project from \$731,300 to \$932,100.

FISCAL IMPACT:

Funds for this request are not budgeted in the Department of Public Works Detailed Work Program. Funding source is Developer Funds (ZZ9813). If approved, this request will result in current year cost of \$200,800, no subsequent year cost, and no additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Establish appropriations in the amount of \$200,800 in Org 5766, Account 2324, Task 324, Activity 1C8022 from Developer Funds available for this project. (4 VOTES)
2. Authorize the Clerk of the Board to execute, upon receipt, an amendment to the Road Participation Agreement (County Contract No. CA-37213) increasing the County maximum share for road construction from \$731,300 to \$932,100.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

12. **SUBJECT: PROPERTY TAX EXCHANGES FOR JURISDICTIONAL CHANGES:
EMERALD ESTATES DETACHMENT FROM VISTA IRRIGATION
DISTRICT (LAFCo Ref. No. DD00-09)
(Supv. Dist: 5)**

OVERVIEW:

Section 99 of the Revenue and Taxation Code requires that the Board of Supervisors adopt a property tax exchange before the Local Agency Formation Commission (LAFCo) can process a proposal for jurisdictional change.

Proposed is the detachment of 4.87 acres of vacant property from the Vista Irrigation District. The property is located within the City of Oceanside. The detachment is necessary to prevent an overlap of service responsibility between the City of Oceanside and the Vista Irrigation District.

FISCAL IMPACT:

The action will have no fiscal impact on the County.

BUSINESS IMPACT STATEMENT:

Not applicable.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Adopt the Resolution Regarding Negotiated Property Tax Exchange Relative to Jurisdictional Changes.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-258, entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

AYES: Cox, Jacob, Slater, Roberts, Horn

13. **SUBJECT: FALLBROOK COMMUNITY AIRPARK – AVIATION ENTERPRISES, LLC – NEW AVIATION LEASE**
(Supv. Dist: 5)

OVERVIEW:

Proposed new aviation ground lease with Aviation Enterprises, LLC will allow development of five aircraft storage hangars on a one-acre parcel at Fallbrook Community Airpark. The proposed lease has a commencement date of July 1, 2000 and an expiration date of June 30, 2030. All improvements will revert to the County at lease expiration or termination. The Lessee plans to invest a minimum of \$150,000 for site improvements.

The Board is requested to approve the new ground lease with Aviation Enterprises, LLC.

FISCAL IMPACT:

Funding source is the Airport Enterprise Fund. If approved, this request will result in additional revenue during Fiscal Year 2000-01 of approximately \$3,600 (twelve months), and \$3,708 (adjusted for cost of living) during Fiscal Year 2001-02. There will be no annual cost or additional staff years required.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find in accordance with Section 15061(b)(3) of CEQA Guidelines, that the proposed new lease is categorically exempt from guideline provisions because it can be seen with certainty it involves negligible expansion of use beyond previously existing use and will not have a significant effect on the environment.
2. Approve and authorize the Clerk of the Board upon receipt to execute three copies of the lease with Aviation Enterprises, LLC for 30 years at a base rent of \$300 per month, with annual cost of living adjustments tied to the Consumer Price Index, not to exceed 6%.
(4 VOTES)

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

14. **SUBJECT: ADMINISTRATIVE ITEM:**
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE
DEFENSE AND INDEMNIFICATION OF PROPERTY OWNERS FOR
DEDICATED TRAIL EASEMENTS - AN ORDINANCE ADDING
DIVISION 12, CHAPTER 1 TO TITLE 8 OF THE SAN DIEGO COUNTY
CODE
(Supv. Dist: All)

OVERVIEW:

On June 21, 2000 (6), your Board introduced Ordinance for further Board consideration on July 12, 2000.

Chairwoman Dianne Jacob Board letter adopted April 5, 2000 (8).

On April 5, 2000 (8) the Board of Supervisors directed the Chief Administrative Officer to return with an ordinance that provides indemnification to private property owners for public recreational trails crossing or adjacent to their land.

The County has been working to establish a system of non-motorized recreational trails for its citizens. The challenge has been to establish a quality trail system that is balanced with a respect for the rights of private property owners. Many property owners are concerned they will be subject to lawsuits if a person is injured on a trail traversing or adjacent to their property. This has proven to be a disincentive to voluntary trail dedication. An ordinance offering defense and indemnification to grantors of easements and to property owners adjacent to dedicated trails, in a case where a claim or lawsuit is brought against an owner for injuries occurring on or adjacent to the trail, would promote voluntary participation in the trails program by alleviating the fear of being held liable for injuries suffered on a trail dedicated to the County.

This is a request to adopt an ordinance adding Division 12, Chapter 1 to the San Diego County Code of Regulatory Ordinances which will provide defense and indemnification to an owner of a parcel of land on which a trail has been or is dedicated to the County, or which is adjacent to such a trail, used for public recreation as an equestrian, pedestrian, or other type of non-motorized recreational right-of-way from all claims, demands or liability for injuries to a person or property that occurs on such trail.

FISCAL IMPACT:

There will be no current year or subsequent year cost, and no additional staff years required as a result of this proposal.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Adopt Ordinance entitled:

AN ORDINANCE ADDING DIVISION 12, CHAPTER 1 TO TITLE 8 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO DEFENSE AND INDEMNIFICATION FOR TRAIL EASEMENTS.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 9233 (N.S.) entitled: AN ORDINANCE ADDING DIVISION 12, CHAPTER 1 TO TITLE 8 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO DEFENSE AND INDEMNIFICATION FOR TRAIL EASEMENTS.

AYES: Cox, Jacob, Slater, Roberts, Horn

15. **SUBJECT: ADMINISTRATIVE ITEM:**
CONTINUED NOTICED PUBLIC HEARING:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE
MAILED BALLOT PROCEEDING RESULTS AND FORMATION
HEARING FOR PROPOSED SAN DIEGO COUNTYWIDE
PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1009 – GOLF
DRIVE
(Supv. Dist: 2)

OVERVIEW:

On June 21, 2000 (3), your Board introduced Ordinance for further Board consideration on July 12, 2000.

On February 9, 2000 (4), the Board established San Diego Countywide Permanent Road Division No. 1000, transferring all existing Permanent Road Divisions into it as zones of benefit. On May 3, 2000 (3), the Board adopted a Resolution of Intention to Form Permanent Road Division No. 1009 – Golf Drive, located in the Spring Valley area, and authorized initiation of a mailed ballot proceeding to benefiting property owners. A mailed ballot proceeding is mandated by state law, which requires approval by a weighted majority of impacted property owners when any new or increased assessment is considered. Notices and ballots have been mailed to property owners of thirteen (13) parcels located in the Golf Drive benefit area.

Golf Drive in the Spring Valley area is within the County Maintained Road System, with the exception of a 1,100-foot private segment. Maintenance of the private segment, between Lakeview Drive and Foursome Drive, has been performed for years by area property owners. These local residents, faced with the need for an improvement project, requested a traffic study to determine whether their road was being used by them or by other motorists. The study

showed the general public-to-resident road use ratio was 2-1. This indicated cost sharing for road improvements should be at the same ratio.

Proposed property owner assessments will be used to repay the loan financing for their one-third share of improvement of a segment of Golf Drive not currently in the County Maintained Road System, to prepare it for acceptance into that system. The hearing today provides the public an opportunity to speak about proposed assessments and formation and the Board to accept and confirm results of the mailed ballot proceeding. The Board is also asked to adopt resolutions establishing Golf Drive as Permanent Road Division Zone No. 1009, an ordinance providing a procedure for fixing and collecting charges on the tax roll, a resolution transferring money to Golf Drive and scheduling repayment to the County, and declare Golf Drive to be a public road.

FISCAL IMPACT:

Funds for this request are not budgeted, as there will be no current year cost. The total cost for the road improvement work plan to take place during Fiscal Year 2000-01 is \$83,000. The estimated share (\$27,700) owed by the property owners will be budgeted as a Permanent Road Division Internal Service Fund Loan, to be repaid over a five-year term, through tax roll assessments. This request will result in no annual costs or additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Adopt Ordinance entitled:

AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1009 – GOLF DRIVE

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 9234 (N.S.) entitled: AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1009 – GOLF DRIVE.

AYES: Cox, Jacob, Slater, Roberts, Horn

16. **SUBJECT: ADMINISTRATIVE ITEM:**
**APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR
PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT
NO 5080-1 LOCATED IN THE RAMONA COMMUNITY PLAN AREA**
(Supv. Dist: 2)

OVERVIEW:

This project is a subdivision consisting of 13 single-family residential lots, and a total acreage of 102.54 acres. It is located in the Ramona area, 2,700 feet east of Mussey Grade Road, on Mahogany Ranch Road. (Thomas Guide, Page 1172 B-6, 2000 Edition) .

The project is being brought before the Board for approval of the final map and the secured agreement for the private improvements.

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Approve this map.
2. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement to Improve Major Subdivision, which includes the street improvements, drainage facilities, and setting of final monuments.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

17. **SUBJECT: ADMINISTRATIVE ITEM:**
**APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR
PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN
DIEGO TRACT NO 5111-1, LOCATED IN THE NORTH COUNTY
METROPOLITAN SUBREGIONAL PLANNING AREA**
(Supv. Dist: 5)

OVERVIEW:

This project is a subdivision consisting of 24 single-family residential lots, and a total acreage of 24.14 acres. It is located in the Twin Oaks area of Vista/San Marcos, on the northeast side of the intersection of Salem Street and Emma Road, north of Buena Creek Road. (Thomas Guide, Page 1088, F-7, 2000 Edition)

The project is being brought before the Board for approval of the final map and the secured agreement for the public and private improvements.

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve this map and accept on behalf of the public, SA 1414, solely for the purpose of designating the road for public use, as dedicated on said map; the county by this action is not accepting the road into the county maintained system and the County will not be responsible for maintenance.
2. Accept the access rights from lots 21 and 22 in and to SA 1414, as relinquished and waived on said map.
3. Reject, on behalf of the public, the portions of lots 1, 10 thru 14, 20, 21, 23 and 24 reserved for future street, as offered for dedication on said map.
4. Abandon, pursuant to Section 66434(g) of the Subdivision Map Act, and on behalf of the public, portions of those Irrevocable Offers to Dedicate Real Property for Public Highway, recorded June 5, 1980 as Document No. 80-181589 and recorded July 13, 1992 as Document No. 1992-0435008, shown as abandoned on said map.
5. Adopt and direct the Clerk of the Board to record the Resolution Accepting Previously Rejected Offer to Dedicate Subdivision Street, accepting the previously rejected offer of dedication of Salem Street on Map 13056.
6. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement to Improve Major Subdivision, which includes the street improvements and drainage facilities, sewer facilities, water facilities, and setting of final monuments.

ACTION:

ON MOTION of Supervisor Slater, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-259, entitled: RESOLUTION ACCEPTING PREVIOUSLY REJECTED OFFER TO DEDICATE SUBDIVISION STREET.

AYES: Cox, Jacob, Slater, Roberts, Horn

18. PRESENTATIONS/PROCLAMATIONS

Vice Chairman Roberts presented a Proclamation to Daryn Drum, Ron Hollander, Captain Doug Elliott and Captain Patrick O'Neil honoring Firefighters Appreciation Day and The Burn Run/Fire Expo.

Supervisor Cox presented a Proclamation to Deputy DA Michael Groch, Deputy DA Andrea Freshwater and Deputy DA George Clarke honoring Outstanding Service as Deputy District Attorneys.

Supervisor Horn presented a Proclamation to Jocelyn K. Wilson and Robin Wagner honoring California Theater on Ice.

19. **PUBLIC COMMUNICATION**

Tim Sheahan addressed the Board regarding mobile home rent control.

Julie Hamilton addressed the Board to commend the Department of Public Works for their assistance and cooperation on a recent project.

Sig Weitzman addressed the Board regarding the Committee on the Disabled.

ACTION:

Heard; referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:37 a.m. in memory of Ned Anthony, Eric Hamm, Robert “Bob” Carter, Ronald Victor Stanley, Richard L. Nolan, Harry Smith Grow, Robert J. Risvold and Joe A. Gonsalves.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
County of San Diego, State of California

Notes by: Egan

This Statement of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.